

IN RE: PETITION FOR SPECIAL HEARING  
NE/S Yorkway 545' NW C/1  
Leeway  
(2513 Yorkway)  
12th Election District  
7th Councilmanic District  
Contract Purchaser: Landex Corp.  
Legal Owner: Ronald Gajewski  
et ux

\* BEFORE TH.  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 89-249 SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve the nonconforming use of the subject property as a four unit apartment building in a D.R. 10.5 zone as more particularly described in Petitioner's Exhibits 1.

The Petitioner, by the Contract Purchaser, Landex, Inc., represented by David G. Johnston, appeared, testified and was represented by John B. Gontrum, Esquire. Also appearing and testifying on behalf of the Petition were Griffith Davis, a land owner, and Douglas Kennedy, a registered professional engineer, with KCM Consultants, Inc., who prepared Petitioner's Exhibit 1. Petitioner's Exhibit 1 contains additional notations placed thereon by the attorney for the Petitioner which Mr. Kennedy agrees are correct. The current property owner, Mr. Ronald Gajewski, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 2513 Yorkway, was improved by a four unit apartment building in 1943 or 1944. Testimony indicated that there are two units on the first floor of the building and two units on the second floor. The remaining portion of the basement is improved with storage and utility space. The subject property

is serviced by a rear parking area which is accessed off of a common alley. Tax records submitted into evidence show that the subject building has been assessed and transferred over the years as at least a four unit apartment building continuously and without interruption since approximately 1944. Testimony and evidence presented substantiates that the building was originally constructed as a four unit apartment building and has been used consistently as a four unit apartment building since its original development. The evidence tends to indicate the subject property was zoned "D" residential during the 1945 Baltimore County Comprehensive Zoning. The evidence further establishes that the exterior parameters of the building have not changed or been altered since the original construction.

This building is one of a group that was found to be nonconforming in a matter before the County Board of Appeals of Baltimore County in case #77-142-V and C-77-258. In that case the Board of Appeals found that 2511 Yorkway, which is next door to the subject property in the same group of buildings, was a nonconforming six (6) unit apartment house. The evidence tends to establish that all of this group of apartment buildings were built at the same time. The group of apartment buildings appear to be one uniform structure. I, therefore, find that the evidence that applies to the previous Board of Appeals matter will apply to all of the buildings in this group.

Numerous other cases have been considered over the years for nonconforming use in the immediate vicinity. Affidavits from those cases also were introduced by Petitioner and indicate that the Yorkway units were all built at about the same time in 1943 or 1944 as four unit apartment buildings. Over the years some buildings have added additional units

in the basement area. In almost every case, without exception, nonconforming uses have been granted for at least four units. Case No. 89-103-SPH was decided in September, 1988 for 2532 Yorkway for a similar building in the next block. Additionally, Case Nos. 88-14-SPH and 86-290-SPH found that nonconforming uses existed for at least four apartments since prior to 1945. In the instant case, the Petitioner requests a nonconforming use for the original four apartment units only.

The first issue to be determined in a nonconforming use case is whether or not the property in question was legally and permissibly developed prior to the statutory change which created the alleged nonconforming status. The four unit apartment building in the instant case was constructed prior to the adoption of the 1945 zoning regulations. This property is often referred to by the Petitioner and in this Opinion as an apartment building. This building is an apartment house as that term was defined in the original 1945 Baltimore County Zoning Regulations (B.C.Z.R.). That term was then defined as:

"A detached building used and/or arranged for occupancy as dwellings for three or more families as separate housekeeping units. All such housekeeping units shall have utility in use and be supplied, in common, with heat, sewerage and/or other public convenience or utilities."

There is evidence of heat and public utilities in common and an acceptable number of units. Therefore, the building does comply with the "D" residential zoning placed on the land on January 2, 1945 for an apartment house because "D" residential permitted all uses in "C" residential. "C" residential permitted apartment houses. The Petitioner has established that the building existed prior to January 2, 1945 or the

beginning of zoning regulations. The building was also in compliance with the zoning from January 2, 1945 thru 1955 when the zoning was changed.

The second principal to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the property. A determination must be made as to whether or not any change that has occurred is a different use and therefore breaks the continued nature of the nonconforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered nonconforming. See McKemy v. Baltimore County, Md., 39 Md. App. 257, 285 A2d. 96 (1978).

Clearly, the use of the subject property has not changed since 1944. The property has always been a four unit apartment building and there have been no changes or interruptions in that use. The subject property was also in compliance with the original "D" residential zoning for an apartment house for four (4) apartment units. The evidence establishes that this property was built and used as an apartment house prior to 1945 and has continued until present.

The Petitioner does not claim an expansion of this use beyond the original four apartments. The evidence establishes the apartments in the subject building have been occupied continuously and without interruption since approximately 1944 and, therefore, are nonconforming.

Pursuant to the advertising, posting of the property and public hearing held and for reasons given above, the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner of Baltimore County, Maryland, this 29th day of December 1988 that the Petition for Special Hearing to approve the nonconforming use of the subject

property known as 2513 Yorkway as a four unit apartment building in a D.R. 10.5 zone as more particularly described in Petitioner's Exhibit 1, be and the same is hereby GRANTED.

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

JRH:mmm  
cc: Peoples Counsel  
John B. Gontrum, Esquire, 809 Eastern Boulevard, Essex, Md. 21221

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333  
J. Robert Haines  
Zoning Commissioner

John B. Gontrum, Esquire  
809 Eastern Boulevard  
Essex, Maryland 21221

RE: Petition for Special Hearing  
Case #89-249-SPH  
Contract Purchaser: Landex Corporation  
Legal Owner: Ronald Gajewski, et ux

Dear Mr. Gontrum:

Enclosed please find the decision rendered on the above captioned case. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 494-3391.

Very truly yours,  
*J. Robert Haines*  
J. Robert Haines  
Zoning Commissioner

JRH:mmm  
att.  
cc: Peoples Counsel

Dennis F. Rasmussen  
County Executive

December 29, 1988

ZONING COMMISSIONER  
OF BALTIMORE COUNTY

VS.

LANDEX CORPORATION

Case Nos. 89-249-SPH thru  
89-264-SPH

REQUEST FOR SUBPOENA DUCES TECUM

Mr. Clerk:

You are requested to issue a Subpoena Duces Tecum to:

Edward A. Crook  
Resident Agent for Baltimore Gas & Electric Co.  
Liberty and Lexington Street  
Baltimore, Maryland 21201

to produce monthly billing statements for all apartments in buildings 2504, 2506, 2510, 2511, 2513, 2515, 2517, 2519, 2521, 2605, 2607, 2611, 2613, 2619, 2625, 2627, and 2629 Yorkway, Dundalk, Maryland, from the initial date of service to present for a hearing beginning at 9:00 a.m. on Thursday, December 29, 1988, Room 200, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204.

*John B. Gontrum*  
John B. Gontrum  
Romadka, Gontrum, & Hennegan  
809 Eastern Boulevard  
Essex, Maryland 21221  
686-8274  
Attorney for Landex Corporation

Mr. Sheriff/Private Process Server

Please process in accordance with Zoning Commission Rule IV (c).

LAW FIRM  
ROMADKA,  
GONTRUM  
& HENNEGAN  
ESSEX, MARYLAND

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333  
J. Robert Haines  
Zoning Commissioner

December 29, 1988

Community Development Administration  
45 Calvert Street  
Annapolis, Maryland 21401

Benton Mortgage Company  
5731 Lyons View Drive  
Nashville, Tennessee 37919

RE: Yorkway Apartments

Gentlemen:

I have this day taken testimony and evidence with respect to the following Yorkway Apartment Buildings:

2513 Yorkway  
2515 Yorkway  
2517 Yorkway  
2519 Yorkway  
2521 Yorkway  
2506 Yorkway  
2611 Yorkway  
2613 Yorkway  
2625 Yorkway  
2605 Yorkway  
2607 Yorkway  
2627 Yorkway  
2629 Yorkway  
2504 Yorkway  
2510 Yorkway  
2511 Yorkway

Based on the testimony and evidence presented, I am issuing findings of fact and conclusion of law indicating that these buildings all have legal nonconforming uses as four unit apartment buildings.

December 29, 1988  
page 2.....

The following properties 2609 Yorkway, 2619 Yorkway, 2527 Yorkway and 2529 Yorkway have all previously been found to have legal nonconforming uses. To my knowledge, there are no zoning violations outstanding on any of these buildings, and they may continue as four unit apartment buildings in conformance with the laws and regulations of Baltimore County.

*J. Robert Haines*  
J. Robert Haines



# PETITION FOR SPECIAL HEARING

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commission and/or Deputy Zoning Commissioner should approve as a legal non-conforming use the following buildings (each with four apartments) located on Yorkway, Baltimore County, Maryland (2513, 2515, 2517, 2519, 2521)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I, We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
Judith S. Siegel, President  
(Type or Print Name)  
Landex Corporation  
250 Centerville Road, Bldg. 6  
Address  
Marwick, R.I. 02886  
City and State

Legal Owner(s):  
Ronald Gajewski, et. ux.  
(Type or Print Name)  
Signature  
(Type or Print Name)  
Signature

7713 Charlesmont Road  
Address  
Baltimore, Maryland 21222  
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Name  
Address  
Phone No.

809 Eastern Blvd.  
Address  
Essex, Md. 21221  
City and State

Attorney's Telephone No.: 301-686-8274

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

J. Robert Haines  
Zoning Commissioner of Baltimore County.

ESTIMATED LENGTH OF HEARING 1 DAY (over)  
AVAILABLE FOR HEARING 12:00 PM - 4:00 PM  
MON./TUES./WED. - NEXT TWO MONTHS  
ALL OTHER  
REVIEWED BY: UCR DATE 11/29

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

## NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 M. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Special Hearing  
CASE NUMBER: 89-249-SPH  
NE/S Yorkway, 545' NW of c/l Leeway, (2513 Yorkway)  
12<sup>th</sup> Election District - 7th Councilmanic  
Legal Owner(s): Ronald Gajewski, et ux  
Contract Purchaser(s): Landex Corporation  
HEARING SCHEDULED: THURSDAY, DECEMBER 29, 1988 at 9:00 a.m.

SPECIAL HEARING: Nonconforming use of 2513 Yorkway (four apartments).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

Douglas L. Kennedy, P.E.  
William K. Woody, L.S.

KCW Consultants, Inc.  
Civil Engineering and Land Surveyors  
1777 Reisterstown Road  
Commerce, Suite 175  
Baltimore, Maryland 21208  
(301) 484-0894 / 484-0963

John M. Cosarquis, L.S. (Ret.)

November 29, 1988  
PETITIONER/CONTRACT PURCHASER:  
LANDEX CORPORATION  
250 Centerville Road, Bldg. 'F'  
Marwick, Rhode Island 02886  
Attn: Ms. Judith Siegel  
(401) 732-5430

PROPERTY DESCRIPTION TO ACCOMPANY  
PETITION FOR SPECIAL HEARING  
12th ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND

BEGINNING FOR THE SAME at a point on the southwesterly line of Block 8, which is also the northeasterly line of Yorkway, as now laid out distant 515 22/100ths feet northwesterly measured along the said southwesterly line of Block 8 from the northwesterly line of Leeway as now laid out 60 feet wide, all as shown on said Plat and running thence north 62 degrees 52 minutes 13 seconds east 143 80/100ths feet, part of which said distance is intended to be along the center line of a party wall there situate to intersect the southwesterly line of a 14 foot alley there situate; thence binding on the southwesterly line of said alley north 38 degrees 46 minutes 9 seconds west 49 71/100ths feet; thence south 60 degrees 52 minutes 13 seconds west 134 73/100ths feet, part of which distance is intended to be along the center line of a party wall there situate to intersect the aforesaid southwesterly line of Block 8; thence binding on said southwesterly line of Block 8 southeasterly on a curve to the left with a radius of 765 feet for a distance of 49 2/100ths feet to the place of beginning.

The improvements thereon being known as No. 2513 Yorkway.

2513 YORKWAY ACC. #12-13-043440

## CERTIFICATE OF POSTING

District: 12th  
Posted for: Special Hearing  
Petitioner: Landex Corp. Inc. - Ronald Gajewski, et ux  
Location of property: 2513 Yorkway  
Location of Sign: 2513 Yorkway, across 25th St. on Yorkway  
Remarks: As Above  
Posted by: As Above  
Date of return: 12/1/88

## CERTIFICATE OF PUBLICATION

### OFFICE OF Dundalk Eagle

4 N. Center Place  
P.O. Box 8936  
Dundalk, Md. 21222  
December 8, 1988

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hearing - Case # 89-249-SPH - P.O. #07737 - DEC. #020481 - 80 Lines @ \$40.00. was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 9th day of December 1988; that is to say, the same was inserted in the issues of Dec. 8, 1988

Kimbel Publication, Inc.  
per Publisher.

## CERTIFICATE OF PUBLICATION

TOWSON, MD., December 9, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on December 8, 1988.

THE JEFFERSONIAN,

S. Lake O'Brien  
Publisher

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 M. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Special Hearing  
CASE NUMBER: 89-249-SPH  
NE/S Yorkway, 545' NW of c/l Leeway (2513 Yorkway)  
12th Election District  
Legal Owner(s):  
Contract Purchaser(s):  
HEARING SCHEDULED: THURSDAY, DECEMBER 29, 1988 at 9:00 a.m.

Special Hearing: Nonconforming use of 2513 Yorkway (four apartments).

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

## AFFIDAVIT OF NANCY CAPECCI

I, NANCY CAPECCI, hereby certify that I am over 18 years of age and am competent to testify as follows:

1. My husband and I first purchased 2528 Yorkway in 1946 and lived there from 1947 through 1962. We continued to own that property until 1985, but rented it between 1962 and 1985. I reacquired the property in 1987.

2. During the period of time that I lived at 2528 Yorkway, as well as the period that I was visiting the property on a weekly and sometimes a daily basis in my capacity as a landlord, I was acquainted with the other properties along Yorkway.

3. I have testified in Case Number 89-103 and have given an Affidavit in that case. My testimony and Affidavit are correct with respect to the facts recited. In Case Number 89-103-SPH I identified the flier, a copy of which is attached hereto and made a part hereof as part of the original advertising for the premises along the 2500 and 2600 Yorkway.

4. All of the apartment buildings in the 2500 and 2600 block of Yorkway were originally built prior to 1945 as four unit apartments. Some of the units had basement apartments or later added basement apartments to them.

5. I have also testified in Case Number 88-14-SPH before the Board of Appeals with respect to 2619 Yorkway, and feel competent to testify that all of these buildings which are the subject to the case here today were originally built prior to 1945 as four

PETITIONER'S  
EXHIBIT 34

unit apartment buildings and during the period in which I lived and leased my units these buildings were continuously and uninterruptedly used for at least four apartments.

STATE OF MARYLAND, County of Baltimore, to wit:  
I HEREBY CERTIFY, That on this 9th day of December, in the year one thousand nine hundred and eighty-eight, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared NANCY CAPECCI known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged the foregoing Deed to be her act, and in my presence signed and sealed the same.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Nancy Capecci  
NANCY CAPECCI

My Commission expires:



# AFFIDAVIT

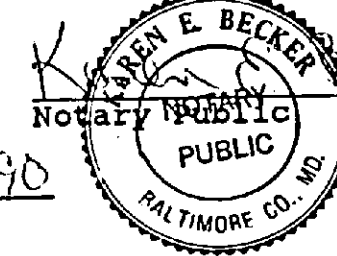
My name is Connie Ports and my address is Apartment B, 2607 Yorkway, Dundalk Maryland 21222. I first moved to the Yorkway area in 1953 and after leaving for a short while, I moved back again in 1971. I have acted as a manager for several of the apartment buildings in the 2600 block of Yorkway and at one time managed 2619 Yorkway. I testified before the Baltimore County Board of Appeals in Case No. 88-14 with respect to 2609 and 2619 Yorkway. It was my testimony at that time under oath, that I have been in all of the buildings along the 2600 block of Yorkway and that they were all identical as four (4) unit apartment buildings, except that some apartments had added an additional apartment in the basement. It was and is my testimony that these buildings were all constructed originally as four (4) bedroom unit apartments and during the familiarity with these apartments for the 1960's up to the present time, these buildings have all been used continuously and uninterruptedly with four (4) apartment units per building.

I solemnly declare and affirm that the above statements are true to the best of my knowledge, information and belief.

*Connie P. Ports*  
CONNIE PORTS

I hereby certify that on this 28th day of December 1988, before me, *James E. Beckner*, Notary Public for said State and County, personally appeared CONNIE PORTS, Affiant, and solemnly affirmed under the penalties of perjury and under oath in due form of law that the contents of the foregoing paper are true to the best of his knowledge, information and belief.

My commission expires: 7-1-90



PETITIONER'S  
EXHIBIT 3B

LAW FIRM  
ROMADKA,  
GOTTRUM  
& HENNEGAR  
ESSEX, MARYLAND

# AFFIDAVIT

My name is James Thompson and I am the Zoning Enforcement Supervisor for the Department of Planning and Zoning in Baltimore County, Maryland. I have been employed in the Zoning Office as a Zoning Enforcement Officer and as a Zoning Inspector for 11 1/2 years. For the past 6 years, I have acted as the Chief of the Zoning Enforcement Section. Over these years, I have become acquainted with the apartment buildings on Yorkway in the Dundalk area of Baltimore County. Numerous violations have been filed against various units on the Yorkway complex for exceeding the permitted number of units within the given zone. A review of the zoning records on the numerous violations which we have researched over the past decade indicates that the apartment units on the 2500 and 2600 block of Yorkway were all built about the same time in 1943 and 1944. The units were all built as four (4) unit apartments. When zoning became effective in January in 1945, these apartment buildings were classified as a Class D residential zone. This zone allowed three (3) units or more per dwelling. However, the original regulations provided for non-conforming uses as follows:

"A lawful non-conforming use existing on the effective date of the adoption of these regulations may continue, provided, however, upon any change from such non-conforming use to a conforming use, or any attempt to change from such

PETITIONER'S  
EXHIBIT 4

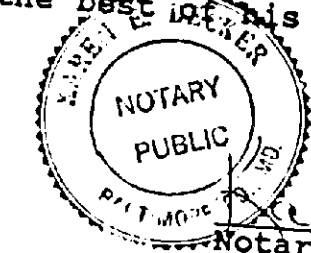
discontinuance of such non-conforming use for a period of one (1) year, or in case a non-conforming structure shall be damaged by fire or otherwise to the extent of seventy five (75%) percent of its value, the right to continue to resume such non-conforming use shall terminate, provided, however, that any such lawful non-conforming use may be extended or enlarged to an extent not more than once again the area of the land used in the original non-conforming use". Section XI, 1945, B.C.Z.R. These non-conforming use provisions were later amended in the 1955 laws pertaining to zoning to the current Section 104 of the Baltimore County Zoning Regulations. As a result of the status of the Baltimore County Zoning Regulations prior to 1955, our office adopted a procedure that allowed four (4) units within a apartment building on Yorkway. Any units in a building in excess of four (4) had to be shown to exist prior to 1955. Our finding was based not only on the zoning history of the property and of the changes of the zoning regulations, but also on the physical confirmation of the buildings which were designed for two (2) units on a first floor with a full basement underneath. Conversations between the inspectors and the neighbors usually indicated that the buildings were always intended to be four (4) unit buildings.

The current zoning of D.R. 10.5 would not, however, allow this use.

I solemnly declare and affirm that the above statements are true to the best of my knowledge, information and belief.

*James Thompson*  
JAMES THOMPSON

I hereby certify that on this 28th day of Dec. 1988, before me, *James E. Beckner*, Notary Public for said State and County, personally appeared JAMES THOMPSON, Affiant, and solemnly affirmed under the penalties of perjury and under oath in due form of law that the contents of the foregoing paper are true to the best of his knowledge, information and belief.



My commission expires: 7-1-90

DISTRICT	12	REAL ESTATE	LAND	IMPROVEMENTS	TOTAL
12-1	1944-48	Yorkway Village One 2,054 1/2 sq ft			
12-2	1944-48	Yorkway Village Two 2,054 1/2 sq ft			
12-3	1944-48	Yorkway Village Three 2,054 1/2 sq ft			
12-4	1944-48	Yorkway Village Four 2,054 1/2 sq ft			
12-5	1944-48	Yorkway Village Five 2,054 1/2 sq ft			
12-6	1944-48	Yorkway Village Six 2,054 1/2 sq ft			
12-7	1944-48	Yorkway Village Seven 2,054 1/2 sq ft			
12-8	1944-48	Yorkway Village Eight 2,054 1/2 sq ft			
12-9	1944-48	Yorkway Village Nine 2,054 1/2 sq ft			
12-10	1944-48	Yorkway Village Ten 2,054 1/2 sq ft			
12-11	1944-48	Yorkway Village Eleven 2,054 1/2 sq ft			
12-12	1944-48	Yorkway Village Twelve 2,054 1/2 sq ft			
12-13	1944-48	Yorkway Village Thirteen 2,054 1/2 sq ft			
12-14	1944-48	Yorkway Village Fourteen 2,054 1/2 sq ft			
12-15	1944-48	Yorkway Village Fifteen 2,054 1/2 sq ft			
12-16	1944-48	Yorkway Village Sixteen 2,054 1/2 sq ft			
12-17	1944-48	Yorkway Village Seventeen 2,054 1/2 sq ft			
12-18	1944-48	Yorkway Village Eighteen 2,054 1/2 sq ft			
12-19	1944-48	Yorkway Village Nineteen 2,054 1/2 sq ft			
12-20	1944-48	Yorkway Village Twenty 2,054 1/2 sq ft			

PETITIONER'S  
EXHIBIT 5

DISTRICT	12	REAL ESTATE	LAND	IMPROVEMENTS	TOTAL
12-1	1944-48	Yorkway Village One 2,054 1/2 sq ft			
12-2	1944-48	Yorkway Village Two 2,054 1/2 sq ft			
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12-5	1944-48	Yorkway Village Five 2,054 1/2 sq ft			
12-6	1944-48	Yorkway Village Six 2,054 1/2 sq ft			
12-7	1944-48	Yorkway Village Seven 2,054 1/2 sq ft			
12-8	1944-48	Yorkway Village Eight 2,054 1/2 sq ft			
12-9	1944-48	Yorkway Village Nine 2,054 1/2 sq ft			
12-10	1944-48	Yorkway Village Ten 2,054 1/2 sq ft			
12-11	1944-48	Yorkway Village Eleven 2,054 1/2 sq ft			
12-12	1944-48	Yorkway Village Twelve 2,054 1/2 sq ft			
12-13	1944-48	Yorkway Village Thirteen 2,054 1/2 sq ft			
12-14	1944-48	Yorkway Village Fourteen 2,054 1/2 sq ft			
12-15	1944-48	Yorkway Village Fifteen 2,054 1/2 sq ft			
12-16	1944-48	Yorkway Village Sixteen 2,054 1/2 sq ft			
12-17	1944-48	Yorkway Village Seventeen 2,054 1/2 sq ft			
12-18	1944-48	Yorkway Village Eighteen 2,054 1/2 sq ft			
12-19	1944-48	Yorkway Village Nineteen 2,054 1/2 sq ft			
12-20	1944-48	Yorkway Village Twenty 2,054 1/2 sq ft			

DISTRICT	12	REAL ESTATE	LAND	IMPROVEMENTS	TOTAL
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12-5	1944-48	Yorkway Village Five 2,054 1/2 sq ft			
12-6	1944-48	Yorkway Village Six 2,054 1/2 sq ft			
12-7	1944-48	Yorkway Village Seven 2,054 1/2 sq ft			
12-8	1944-48	Yorkway Village Eight 2,054 1/2 sq ft			
12-9	1944-48	Yorkway Village Nine 2,054 1/2 sq ft			
12-10	1944-48	Yorkway Village Ten 2,054 1/2 sq ft			
12-11	1944-48	Yorkway Village Eleven 2,054 1/2 sq ft			
12-12	1944-48	Yorkway Village Twelve 2,054 1/2 sq ft			
12-13	1944-48	Yorkway Village Thirteen 2,054 1/2 sq ft			
12-14	1944-48	Yorkway Village Fourteen 2,054 1/2 sq ft			
12-15	1944-48	Yorkway Village Fifteen 2,054 1/2 sq ft			
12-16	1944-48	Yorkway Village Sixteen 2,054 1/2 sq ft			
12-17	1944-48	Yorkway Village Seventeen 2,054 1/2 sq ft			
12-18	1944-48	Yorkway Village Eighteen 2,054 1/2 sq ft			
12-19	1944-48	Yorkway Village Nineteen 2,054 1/2 sq ft			
12-20	1944-48	Yorkway Village Twenty 2,054 1/2 sq ft			

DISTRICT	12	REAL ESTATE	LAND	IMPROVEMENTS	TOTAL
12-1	1944-48	Yorkway Village One 2,054 1/2 sq ft			
12-2	1944-48	Yorkway Village Two 2,054 1/2 sq ft			
12-3	1944-48	Yorkway Village Three 2,054 1/2 sq ft			
12-4	1944-48	Yorkway Village Four 2,054 1/2 sq ft			
12-5	1944-48	Yorkway Village Five 2,054 1/2 sq ft			
12-6	1944-48	Yorkway Village Six 2,054 1/2 sq ft			
12-7	1944-48	Yorkway Village Seven 2,054 1/2 sq ft			
12-8	1944-48	Yorkway Village Eight 2,054 1/2 sq ft			
12-9	1944-48	Yorkway Village Nine 2,054 1/2 sq ft			
12-10	1944-48	Yorkway Village Ten 2,054 1/2 sq ft			
12-11	1944-48	Yorkway Village Eleven 2,054 1/2 sq ft			
12-12	1944-48	Yorkway Village Twelve 2,054 1/2 sq ft			
12-13	1944-48	Yorkway Village Thirteen 2,054 1/2 sq ft			
12-14	1944-48	Yorkway Village Fourteen 2,054 1/2 sq ft			
12-15	1944-48	Yorkway Village Fifteen 2,054 1/2 sq ft			
12-16	1944-48	Yorkway Village Sixteen 2,054 1/2 sq ft			
12-17	1944-48	Yorkway Village Seventeen 2,054 1/2 sq ft			
12-18	1944-48	Yorkway Village Eighteen 2,054 1/2 sq ft			
12-19	1944-48	Yorkway Village Nineteen 2,054 1/2 sq ft			
12-20	1944-48	Yorkway Village Twenty 2,054 1/2 sq ft			







